

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES SMITH,

Petitioner,

ORDER

08-cv-436-bbc

v.

TOM RUBENZER,

Respondent.

In an order entered in this case on July 29, 2008, I told petitioner that before I could consider his request to proceed in forma pauperis he would have to submit a resident account statement covering the six-month period preceding the filing of his complaint so that I could assess an initial partial payment of the \$350 fee for filing this case. Petitioner has submitted the requested statement. From the statement, I have calculated petitioner's initial partial payment to be \$15.33.

ORDER

IT IS ORDERED that petitioner is assessed \$15.33 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to

the clerk of court in the amount of \$15.33 on or before September 1, 2008. If, by September 1, 2008, petitioner fails to make the initial partial payment or show cause for his failure to do so, he will be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 11th day of August, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge